PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 11 AND THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PINNACLE PEAK ROAD AND CAVE CREEK ROAD;

THENCE SOUTH 59 DEGREES 29 MINUTES 46 SECONDS EAST ALONG THE MONUMENT LINE OF SAID PINNACLE PEAK ROAD, A DISTANCE OF 301.53 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 818.51 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID TANGENT CURVE AND SAID MONUMENT LINE THROUGH A CENTRAL ANGLE OF 25 DEGREES 34 MINUTES 26 SECONDS AN ARC LENGTH OF 365.35 FEET;

THENCE SOUTH 04 DEGREES 55 MINUTES 47 SECONDS WEST, A DISTANCE OF 55.00 FEET TO THE SOUTHERN RIGHT-OF-WAY LINE OF SAID PINNACLE PEAK ROAD AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE SOUTH OO DEGREES 19 MINUTES 29 SECONDS EAST, A DISTANCE OF 288.55 FEET;

THENCE SOUTH 30 DEGREES 30 MINUTES 29 SECONDS WEST, A DISTANCE OF 352.93 FEET TO THE NORTH LINE OF LOT 1 'HOLY REDEEMER CEMETERY' AS RECORDED THEREOF IN BOOK 480 OF MAPS, PAGE 40, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 00 MINUTES 15 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 886.52 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID CAVE CREEK ROAD, SAID POINT BEING COMMON WITH THE NORTHWEST CORNER OF SAID LOT 1;

THENCE NORTH 30 DEGREES 29 MINUTES 49 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 227.69 FEET TO AN ANGLE POINT IN SAID EASTERLY RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 30 DEGREES 30 MINUTES 38 SECONDS EAST, A DISTANCE OF 464.98 FEET TO AN ANGLE POINT IN SAID EASTERLY RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 30 DEGREES 30 MINUTES 47 SECONDS EAST, A DISTANCE OF 234.13 FEET TO AN ANGLE POINT IN SAID EASTERLY RIGHT-OF-WAY LINE;

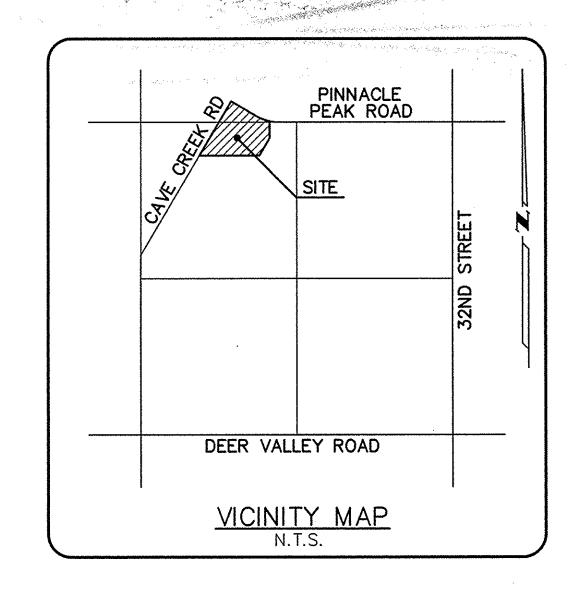
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 75 DEGREES 31 MINUTES 07 SECONDS EAST, A DISTANCE OF 35.35 FEET TO THE SOUTHERN RIGHT-OF-WAY LINE OF SAID PINNACLE PEAK ROAD, SAID POINT BEING 55.00 FEET SOUTHERLY AS MEASURED PERPENDICULAR TO THE MONUMENT LINE OF SAID PINNACLE PEAK ROAD;

THENCE SOUTH 59 DEGREES 29 MINUTES 46 SECONDS EAST ALONG SAID SOUTHERN RIGHT-OF-WAY LINE, A DISTANCE OF 221.54 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 873.51 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID TANGENT CURVE AND SAID SOUTHERN RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 25 DEGREES 34 MINUTES 26 SECONDS AN ARC LENGTH OF 389.89 FEET TO THE TRUE POINT OF BEGINNING.

EASEMENTS, CONDITIONS, AND RESTRICTIONS CORRESPONDING TO TITLE REPORT ITEMS:

- SUBJECT TO RESERVATIONS TO THE UNITED STATES OF AMERICA AS SHOWN IN DOCUMENTATION VESTING TITLE IN THE STATE OF ARIZONA. (NOT SHOWN HEREON, BLANKET IN NATURE, DOES AFFECT AND APPLY)
- 2 SUBJECT TO PROVISIONS CONTAINED ON 'COMMERCIAL LEASE APPLICATION', SET FORTH AS COMMERCIAL LEASE APPLICATION NO. 03-109593-99-000, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (NOT PLOTTABLE, BLANKET IN NATURE, DOES AFFECT
- SUBJECT TO RESTRICTIONS AND CONDITIONS IMPOSED UPON SAID LAND BY VIRTUE OF URBAN PLANNING FILE NO. 43-107999, AND 46-94095, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (NOT SHOWN HEREON, DOES NOT AFFECT OR APPLY THIS SUBJECT PROPERTY).
- 4 4' WIDE RIGHT-OF-WAY FOR ELECTRICAL TRANSMISSION LINE SET FORTH AS RIGHT-OF-WAY NO. 14-64841, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (NOT SHOWN HEREON, DOES NOT AFFECT OR APPLY).
- 4' WIDE RIGHT-OF-WAY FOR WATER LINE SET FORTH AS RIGHT-OF-WAY NO. 16-99881, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (LIES WITHIN THE WESTERLY RIGHT-OF-WAY OF CAVE CREEK ROAD, AS SHOWN HEREON, DOES NOT AFFECT OR APPLY THIS SUBJECT PROPERTY).
- 6 10' WIDE RIGHT-OF-WAY FOR TELEPHONE LINE SET FORTH AS RIGHT-OF-WAY NO. 18-86752, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (AS SHOWN HEREON, DOES AFFECT AND APPLY).
- RIGHT-OF-WAY FOR PUBLIC ROAD, WATER, SEWER, SLOPE AND DRAINAGE RECORDED AS DOCUMENT NO. 16-53093, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (NOT SHOWN HEREON, DOES NOT AFFECT OR APPLY).
- 8 8' WIDE RIGHT-OF-WAY FOR UNDERGROUND ELECTRIC DISTRIBUTION LINES SET FORTH IN RIGHT-OF-WAY NO. 18-105217, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (AS SHOWN HEREON, DOES AFFECT AND APPLY).
- 9 10' WIDE RIGHT-OF-WAY FOR UNDERGROUND/OVERHEAD COMMUNICATIONS CABLE SET FORTH AS RIGHT-OF-WAY NO. 18-106421, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (AS SHOWN HEREON, DOES AFFECT AND APPLY).
- 10 15' WIDE RIGHT-OF-WAY FOR OVERHEAD ELECTRIC SUB-TRANSMISSION LINES SET FORTH AS RIGHT-OF-WAY NO. 18-85313, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (LIES WITHIN THE WESTERLY RIGHT-OF-WAY OF CAVE CREEK ROAD, AS SHOWN HEREON, DOES NOT AFFECT OR APPLY THIS SUBJECT PROPERTY).
- SUBJECT TO RIGHTS TO USE SAID LAND FOR STAGING, LAUNCH AND RETRIEVAL OF HOT AIR BALLOONS, AS SET FORTH IN SPECIAL LAND USE PERMIT RECORDED IN DOCUMENT NO. 23-53448-03, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (EXPIRES 08-25-04, IF AFFECTS OR APPLIES, NOT DETERMINED THIS SURVEY).
- SUBJECT TO RIGHTS TO USE SAID LAND FOR STAGING, LAUNCH AND RETRIEVAL OF HOT AIR BALLOONS, AS SET FORTH IN SPECIAL LAND USE PERMIT RECORDED IN DOCUMENT NO. 23-52911-03, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (EXPIRES 03-31-02, IF AFFECTS OR APPLIES, NOT DETERMINED THIS SURVEY).
- SUBJECT TO RIGHTS TO USE SAID LAND FOR STAGING, LAUNCH AND RETRIEVAL OF HOT AIR BALLOONS, AS SET FORTH IN SPECIAL LAND USE PERMIT RECORDED IN DOCUMENT NO. 23-107361-03-001, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (STATUS PENDING, IF AFFECTS OR APPLIES, NOT DETERMINED THIS SURVEY)
- 55' ASSIGNMENT OF RIGHT-OF-WAY AS SET FORTH ON APPLICATION NO. 09-3674, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (AS SET FORTH TO CONSTRUCT, OPERATE AND MAINTAIN RIGHT-OF-WAY ON, OVER, AND ACROSS STATE LAND PROPERTY ALONG AND ADJACENT TO THE NORTHERLY AND WESTERLY BOUNDARIES OF THIS SUBJECT PROPERTY)(AS SHOWN HEREON. IF AFFECTS AND APPLIES, NOT SHOWN THIS SURVEY).
- 10' WIDE ASSIGNMENT OF RIGHT-OF-WAY FOR UNDERGROUND COMMUNICATION LINE AS SET FORTH IN RIGHT-OF-WAY NO. 14-96184-00, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (LIES WITHIN THE WESTERLY RIGHT-OF-WAY OF CAVE CREEK ROAD, AS SHOWN HEREON, DOES NOT AFFECT OR APPLY THIS SUBJECT PROPERTY).
- ASSIGNMENT OF 240' WIDE RIGHT-OF-WAY FOR ACCESS AS SET FORTH IN RIGHT-OF-WAY NO. 16-48131, RECORDS OF ARIZONA STATE LAND DEPARTMENT. (NOT SHOWN HEREON, DOES NOT AFFECT OR APPLY).



LEGEND:			•
	SUBJECT PROPERTY LINE		FND. BRASS CAP IN HANDHOLE
	PROPERTY LINE	•	FND. BRASS CAP FLUSH
	CENTER LINE	—T—	UNDERGROUND TELEPHONE
	EASEMENT LINE	8.P. ◆	BARRIER POST
	EDGE OF PAVEMENT	CATV	CABLE TELEVISION
	STORM DRAIN: SIZE AS NOTED	TC	TOP OF CURB
©	STORM DRAIN MANHOLE	2000	CONCRETE
©	ELECTRIC MANHOLE		SIGN
W	WATER MANHOLE	T <u>.</u> R.	TELEPHONE RISER
①	TELEPHONE MANHOLE	T.S.J.B. ☑	TRAFFIC SIGNAL J-BOX
OHE	OVERHEAD ELECTRIC	8	TRAFFIC SIGNAL
E.CAB	ELECTRIC CABINET	B.P. ●	BARRIER POST
· · · · · · · · · · · · · · · · · · ·	SEWER MANHOLE	-UFO-	UNDERGROUND FIBER OPTIC LINE
S.C.O.	SEWER CLEANOUT	—E—	UNDERGROUND ELECTRIC
₩.M. ©⊠1	WATER METER	TW	TOP OF WALL ELEVATION
₩.V. ⊗	WATER VALVE	CE	CONCRETE ELEVATION
F.H. ◆	FIRE HYDRANT	G	GUTTER
S.L.J.B. ⊠	STREET LIGHT JUNCTION BOX	P.	PAVEMENT
₩——•	STREET LIGHT W/ MAST ARM	(R)	RECORD
PV	PALO VERDE	(M)	MEASURED
MSQ	MESQUITE	A.P.N.	ASSESSOR'S PARCEL NUMBER
B/C	BACK OF CURB	M.C.R.	MARICOPA COUNTY RECORDS
14. SAG	SAGUARO CACTUS/ HEIGHT	R/W	RIGHT-OF-WAY
·	TREE: SPECIES & CANOPY SIZE	NOTED	

- 1.) THE RECORD DOCUMENTS SHOWN ON THIS LAND TITLE SURVEY ARE THOSE DOCUMENTS, AND ONLY THOSE DOCUMENTS, DETERMINED BY TSA TITLE AGENCY, SET FORTH IN RECORD OF SEARCH REPORT NO. 103104-00, AS AFFECTING THE PROPERTY DEPICTED ON THIS LAND TITLE SURVEY. BY NOTING SAID DOCUMENTS ON THIS LAND TITLE SURVEY, THE UNDERSIGNED SURVEYOR MAKES NO REPRESENTATION AS TO THE EXISTENCE OF ANY OTHER RECORD
- 2.) BASIS OF BEARING: THE NORTH LINE OF THE NE 1/4 OF SECTION 14, T 4N, R 3E, BEING THE MONUMENTED CENTERLINE OF A PORTION OF PINNACLE PEAK ROAD. SAID NORTH LINE BEARING NORTH 89'41'52" EAST ACCORDING TO FINAL PLAT OF "HOLY REDEEMER CEMETERY" AS RECORDED THEREOF IN BOOK 480 OF MAPS, PAGE 40, M.C.R.
- 3.) UNDERGROUND UTILITIES: LOCATIONS ILLUSTRATED HEREON ARE AS UTILITY COMPANY RECORDS. ACTUAL LOCATIONS MAY VARY. ONLY SURFACE FEATURES WERE LOCATED. GAS MAPS WERE NOT AVAILABLE AT THE TIME OF THIS SURVEY.
- 4.) ZONING: CITY OF PHOENIX JURISDICTION, ZONE "S-1" AS OF 06-02-2004 (RANCH OR FARM RESIDENCE ZONING DISTRICT). THE PRIMARY PURPOSE OF THIS ONING DISTRICT IS TO PROVIDE FOR VERY LOW DENSITY FARM OR RESIDENTIAL USES TO PROTECT AND PRESERVE LOW DENSITY AREAS IN THEIR PRESENT OR DESIRED CHARACTER. IT IS INTENDED THAT THE S-1 DISTRICT WILL AFFORD AREAS WHERE SEMI-RURAL RESIDENTIAL AND AGRICULTURAL USES CAN BE MAINTAINED WITHOUT IMPAIRMENT FROM INDUSTRIAL, COMMERCIAL OR HIGHER DENSITY RESIDENTIAL DEVELOPMENT. SETBACKS: 40' FRONT, 30' SIDE & 30' REAR. HEIGHT RESTRICTION: 30' OR 2 STORIES. SEE CITY OF PHOENIX ZONING ORDINANCE FOR ADDITIONAL REGULATIONS.
- 5.) FLOOD ZONE: THE SUBJECT PROPERTY LIES ENTIRELY WITHIN FLOOD ZONE SHADED 'X' DEFINED AS "AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD" AS SHOWN ON FLOOD INSURANCE RATE MAP NO 04013C1210 G, EFFECTIVE DATE APRIL 15, 1988, REVISED JULY 19, 2001.

6.) REFERENCED DOCUMENTS:

- (R-1) FINAL PLAT OF "HOLY REDEEMER CEMETERY" RECORDED IN BOOK 480 OF MAPS, PAGE 40, M.C.R. (R-2) RESULTS OF BOUNDARY SURVEY RECORDED IN BOOK 612 OF MAPS, PAGE 25, M.C.R.
- (R-3) RECORD OF SURVEY PLSS SUBDIVISION RECORDED IN BOOK 704 OF MAPS, PAGE 32, M.C.R.
- (R-4) SURVEY TO ESTABLISH ALIGNMENT OF CAVE CREEK ROAD RECORDED IN BOOK 335 OF MAPS, PAGE 14, M.C.R.
- (R-5) MAP OF DEDICATION RECORDED IN BOOK 393 OF MAPS, PAGE 16, M.C.R.
- (R-6) FINAL PLAT OF "CRESCENT BUTTE II" RECORDED IN BOOK 416 OF MAPS, PAGE 48, M.C.R.
- (R-7) CERTIFICATE OF PURCHASE NO 53-102507-01.

DOCUMENTS THAT MAY AFFECT THE SURVEYED PROPERTY.

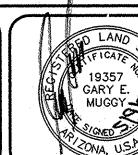
- 7.) SITE ADDRESS: UNDETERMINED AS OF DATE OF THIS SURVEY.
- 8.) BENCHMARK #1: CITY OF PHOENIX BRASS CAP FLUSH LOCATED AT THE INTERSECTION OF PINNACLE PEAK ROAD & CAVE CREEK ROAD. ELEV. = 1572.42 (CITY OF PHOENIX DATUM)
- 9.) BENCHMARK #2: CITY OF PHOENIX BRASS CAP IN HANDHOLE 314' SOUTH OF THE INTERSECTION OF PINNACLE PEAK ROAD & CAVE CREEK ROAD. ELEV. = 1569.55. (CITY OF PHOENIX DATUM)
- 10.) A.P.N.: UNASSESSED AS OF DATE OF THIS SURVEY.
- 11.) SITE AREA: 570,440 S.F. OR 13.10 ACRES (GROSS) BOUNDARY AS DESCRIBED AND SHOWN HEREON 566,621 S.F. OR 13.01 ACRES (GROSS LESS THE APPLICABLE PORTION OF RIGHT-OF-WAY INSTRUMENT NO. 18-86752 RECORDS OF ARIZONA STATE LAND DEPARTMENT, 10' WIDE [6])
- NOTE: AREA TO CENTERLINE OF ADJACENT STREETS IS 661,310 SF. OR 15.1816 ACRES
- ITEMS 14, 15 AND 16 TABLE "A":

SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

- 14.) AS OF THE DATE OF THIS SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- 15.) AS OF THE DATE OF THIS SURVEY THERE ARE PURPORTED CHANGES IN STREET RIGHT OF WAY LINES, AND AVAILABLE FROM THE CONTROLLING JURISDICTION THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- 16.) AS OF THE DATE OF THIS SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USED AS A

CERTIFICATION: To: CAP II 67/THOMAS, L.L.C. and PETERSON PROPERTIES REAL ESTATE SERVICES, INC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 1, 2, 3, 4, 5, 6, 8, 10, 11(b), 13, 14, 15 and 16 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification. The undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.



REV. 5-4-05 CLIENT COMMENTS

REV. 12-3-09

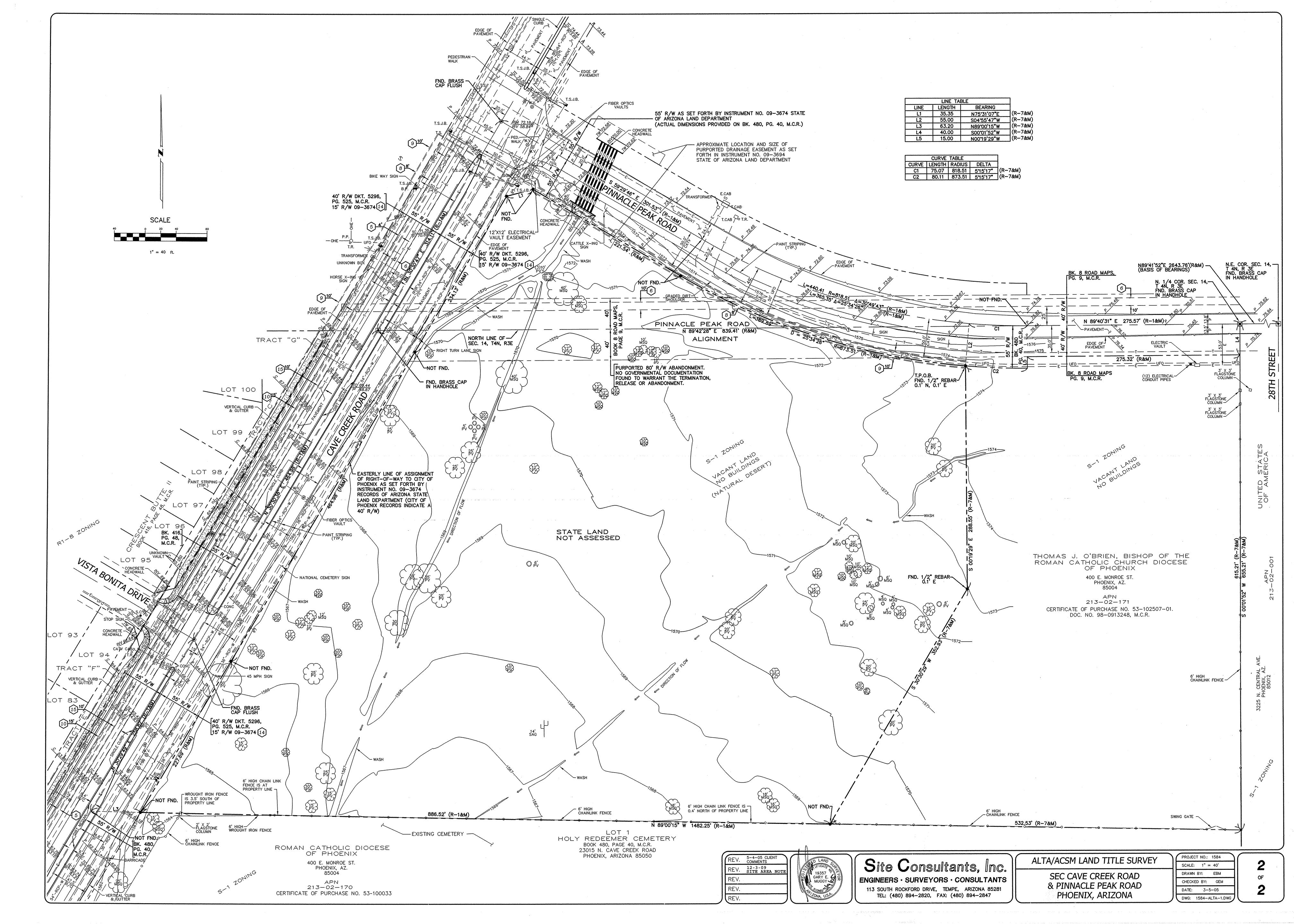


Site Consultants, Inc. **ENGINEERS · SURVEYORS · CONSULTANTS** 113 SOUTH ROCKFORD DRIVE, TEMPE, ARIZONA 85281 TEL: (480) 894-2820, FAX: (480) 894-2847

ALTA/ACSM LAND TITLE SURVEY

SEC CAVE CREEK ROAD & PINNACLE PEAK ROAD PHOENIX, ARIZONA

PROJECT NO.: 1584 SCALE: DRAWN BY: EBM CHECKED BY: GEM DATE: 3-4-05 DWG: 1584-ALTA-1.DWG



LEGAL DESCRIPTION

of

Sale Parcel No. 53-113960 (SEC of Cave Creek and Pinnacle Peak Roads)

PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 11 AND THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF PINNACLE PEAK ROAD AND CAVE CREEK ROAD;

THENCE SOUTH 59°29'46" EAST ALONG THE MONUMENT LINE OF SAID PINNACLE PEAK ROAD, A DISTANCE OF 301.53 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 818.51 FEET:

THENCE EASTERLY ALONG THE ARC OF SAID TANGENT CURVE AND SAID MONUMENT LINE THROUGH A CENTRAL ANGLE OF 25°34'26" AN ARC LENGTH OF 365.35 FEET;

THENCE SOUTH 04°55'47" WEST, A DISTANCE OF 55.00 FEET TO THE SOUTHERN RIGHT-OF-WAY LINE OF SAID PINNACLE PEAK ROAD;

THENCE SOUTH 00°19'29" EAST, A DISTANCE OF 288.55 FEET;

THENCE SOUTH 30°30'29" WEST, A DISTANCE OF 352.93 FEET TO THE NORTH LINE OF LOT 1 'HOLY REDEEMER CEMETERY' AS RECORDED THEREOF IN BOOK 480 OF MAPS, PAGE 40, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89°00'15" WEST ALONG SAID NORTH LINE, A DISTANCE OF 949.72 FEET TO THE CENTER LINE OF THE AFORESAID CAVE CREEK ROAD;

THENCE NORTH 30°29'49" EAST ALONG SAID CENTER LINE, A DISTANCE OF 258.82 FEET TO AN ANGLE POINT IN SAID CENTER LINE;

THENCE CONTINUNING ALONG SAID CENTER LINE NORTH 30°30'38" EAST, A DISTANCE OF 464.98 FEET TO AN ANGLE POINT IN SAID CENTER LINE:

THENCE CONTINUING ALONG SAID CENTER LINE NORTH 30°30'47" EAST, A DISTANCE OF 314.11 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 15.18 ACRES, MORE OR LESS

DATE /2/11/9
HITL JPD

MACCEPTABLE
D NOT ACCEPTABLE
D NOT ACCEPTABLE